IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

OP.No. 23636 of 2000(L)

PETITIONER:

P.P.SURENCRAN,
PALAMPARAMBIL,
METTUTHUZHY KARA, KATTAPPANA.

BY ADV. SRI.MAT.PAI

RESPONDENTS:
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1. **THE SPECIAL GRADE SECRETARY,**
   KATTAPPANA GRAMA PANCHAYAT,
   KATTAPPANA P.O.

2. **MRS.PUSHPA SURESH,**
   W/O.OF SURESH,
   KOLLAKKATTIL HOUSE,
   METTUKUZHY., KATTAPPANA.

BY ADV. SRI.K.K.CHANDRAN PILLAI

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.39818/2000 IN OP. NO.23636/2000

DISMISSED

06.06.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE ACKNOWLEDGEMENT DT.23.5.2000 FOR RECEIPT OF APPLICATION FOR BUILDING LICENCE.

EXT.P2:- COPY OF THE NOTICE SENT BY THE 1ST RESPONDENT DT. 10.8.2000.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P.No. 23636 of 2000

Dated this the 6th day of June, 2007

JUDGMENT

The writ petition is filed mainly with the following prayers:-

> ii) issue a writ of mandamus or other appropriate writ, direction or order directing the 1st respondent to approve the application for grant of approval of building permit evidenced by Ext.P1 receipt;
>
> iii) issue a writ of certiorari or other appropriate writ, direction or order directing the 1st respondent to verify the boundary of the petitioner and respondent No.2 measuring out the plots and identify the encroachment made by the 2nd respondent.

Petitioner approached this court when the Panchayat issued Ext.P2 notice. It will be open to the petitioner to respond to the notice and submit his objections, if not already submitted, within a period of one month from today, in which case a due enquiry will be conducted in the matter by the first respondent with notice to the petitioner and the second respondent and appropriate action will be taken thereon expeditiously. The status quo obtaining in the matter will continue till such time.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.23636/2000

JUDGMENT

6th June, 2007